Case 4:05-cr-00031-ALM-KPJ Document 343 Filed 09/26/05 Page 1 et al. Page 1D # LASTERN DISTRICT COURT

United States District Court

EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

UNITED STATES OF AMERICA

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CASE NO. 4:05er31(18)

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(Judge Schell)

## ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING DEFENDANT GUILTY ON COUNT ONE OF THE SUPERSEDING INDICTMENT

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On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Count One of the Superseding Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed September 21, 2005, are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Count One of the Superseding Indictment in the above-numbered cause.

SIGNED this 21th day of 1 1 1 1 1 1

LUIS ANTONIO BERLANGA

2005.

RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE